

REMARKS

Following entry of the present amendment, Claims 55, and 76-91 are before the Examiner. The Examiner has indicated that Claims 76 to 79, inclusive are allowable. Claims 80 to 91 are presented for the first time in this amendment. It is noted that each of Claims 80 to 91 include the limitation as to the nucleic acid contained in the allowable claims. Accordingly, Claims 80 to 91 are also believed to be patentable. No new matter is presented in this Amendment.

Applicants reserve the right to seek patent protection in subsequently-filed patent applications on the subject matter of those claims that are no longer before the Examiner.

CLAIM REJECTIONS

Rejections under 35 U.S.C. § 112, first paragraph

Claims 48-51, 54, 55, 58-62, 64-68, and 70-74 have been rejected under 35 USC § 112, first paragraph for lack of written description.

Specifically, the Office Action alleges that "The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention". Applicants respectfully disagree with this allegation.

Notwithstanding the above, and without acceding to the propriety of the Examiner's position, Applicants herein cancel claims 48-51, 54, 55, 58-62, 64-68, and 70-74, in order to advance the prosecution of the present application. Claims 76-79 have been allowed by the Examiner. Thus, the rejection is moot and should be withdrawn.

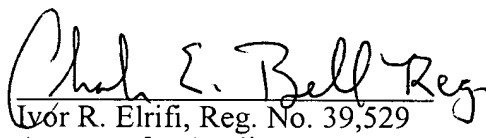
New claims 80-91 are directed to vectors, cells containing those vectors, and compositions containing the nucleic acid sequences of allowed claims 76-79. Accordingly, new claims 80-91 are believed patentable.

CONCLUSION

On the basis of the foregoing amendments and remarks, Applicants believe that Claims 76 to 91, are allowable.

Should the Examiner believe that there are matters or issues still pending with respect to the claims that need to be addressed prior to allowance, and that these matters or issues can be resolved by a telephone interview with the undersigned Attorney of Record, the Examiner is invited to contact the undersigned by telephone at the number listed below.

Respectfully submitted,

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